

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION**

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Re:)
THE THAXTON GROUP, INC.) Case No. 8:04-2612-13
SECURITIES LITIGATION)

Official Committee of Unsecured Creditors of)
the Thaxton Group, Inc.,) 8:04-22275-13
Plaintiff,) Originally filed in the United States
vs.) Bankruptcy Court for the District of
FINOVA Capital Corporation,) Delaware, Adv. Proc. No. 04-53129.
Defendant.)

ORDER

On motion of FINOVA Capital Corporation ("FINOVA"),

IT IS HEREBY ORDERED that this Court's Order of Partial Summary Judgment dated March 20, 2006, docket entry no. 401, shall, upon the Effective Date of the Plan, as those terms are defined in the parties' Master Settlement Agreement attached hereto as Exhibit 1, be deemed vacated in its entirety.

It is so ordered.


Hon. G. Ross Anderson, Jr.
United States District Judge

Feb. 15th, 2007

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FILED: February 12, 2007

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1406
(8:04-cv-22275-GRA)
(8:04-cv-02612-GRA)

OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF
THE THAXTON GROUP, INCORPORATED,

Plaintiff - Appellee,

and

KEN BLINKO; BETTY C. COLEY; VICKI GRAINGER;
ETHEL E. GRAVES; BECKY HALSALL; JOHN S.
HALSALL, III; JERRY F. MCDANIEL; VERONICA T.
MCDANIEL; LAVERNE MCKENZIE; MARIANNE
MCKENZIE; NATHAN J. NEELY; ZEVIE H. NEELY;
SULINA PRATHER; KATHRYN RODDEY; GINA TIBBS;
JOHN A. TIBBS; JOHN C. TIBBS; BRENDA D.
WATTS; GERALD D. WATTS; C. ANN WILLIAMS;
HENRY M. WILLIAMS, JR.; WESLEY L. WILLIAMS,
JR.; GRANT HALL; TOM MOORE; ANNA NUNNERY;
CHARLES SHOPE; PENELOPE SHOPE; KATHY ANNETTE
WOOD; SAM JONES WOOD; RUTH ANN HALL,

Plaintiffs,

versus

FINOVA CAPITAL CORPORATION,

Defendant - Appellant,

and

STEPHANIE BRANHAM; CHARLES E. BROOKS; ALISON
FAULKENBERRY; ASHLEY GRANT; BECKY LEE; ALLAN
F. ROSS; ROBERT L. WILSON; CHERRY BEKAERT AND
HOLLAND, LLP; MOORE AND VAN ALLEN PLLC,

Defendants.

No. 06-1631
(8:04-cv-22275-GRA)
(8:04-cv-02612-GRA)

OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF
THE THAXTON GROUP, INCORPORATED,

Plaintiff - Appellee,

versus

FINOVA CAPITAL CORPORATION,

Defendant - Appellant,

O R D E R

Upon consideration of Finova's agreed motions for limited remand pursuant to Fobian v. Storage Technology Corp., 164 F.3d 887, 891 (4th Cir. 1999) and for a stay in case Nos. 06-1406 and 06-1631, the Court grants the motions. This case is remanded to the district court for the limited purpose of considering the parties' Rule 60(b)(6) motion. The parties shall file a status report on or before March 13, 2007, and every 30 days thereafter on the status of the case below. The parties shall immediately notify this Court in writing of the district court's final decision.

For the Court

/s/ Patricia S. Connor

Clerk